

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

RESOLUTION NO. 70-33

ORDERING CONTRA COSTA COUNTY SANITATION DISTRICT NO. 3 TO
CEASE AND DESIST VIOLATIONS OF THE WASTE DISCHARGE REQUIRE-
MENTS OF RESOLUTION NO. 70-26, CONTRA COSTA COUNTY

WHEREAS THIS REGIONAL BOARD HAS CONSIDERED

ADMINISTRATIVE INFORMATION

1. On May 28, 1969 this Regional Board adopted Resolution No. 69-23 prescribing requirements for the discharge of waste from the treatment facilities of Contra Costa County Sanitation District No. 3.
2. On March 26, 1970, this Regional Board adopted Resolution No. 70-26 to amend Resolution No. 69-23 to make the code references consistent with the Porter-Cologne Water Quality Control Act which became operative on January 1, 1970 without making any substantive changes in the specific requirements contained therein.
3. The waste discharge requirements provide, in part, as follows:

"WASTE DISCHARGE REQUIREMENTS - RECEIVING WATERS

... ..

2. The discharge shall not:

- a. Unreasonably affect any of the protected beneficial water uses resulting from:

Floating, suspended, or deposited macroscopic particulate matter
or foam, in waters of the State at any place;

... ..

Alteration of ... , turbidity, or apparent color beyond present
natural background levels in waters of the State at any place.

... ..

- c. Cause waters of the State to exceed the following limits of quality at any point:

Dissolved oxygen	5.0 mg/l minimum
...	...

WASTE DISCHARGE REQUIREMENTS - WASTE STREAM

The waste as discharged to waters of the State shall meet these quality limits at all times:

...

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...

3. In any representative, 24-hour composite sample:

Toxicity: survival of test fishes in 96-hour bioassays of the waste as discharged

Any sample 75% minimum

Average of any three or more consecutive samples collected during any 21 or more days 90% minimum

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4. Bacterial quality of the waste at some point in the treatment process shall be within the limits prescribed in Section 7958, Title 17, California Administrative Code."
4. Monitoring program reports submitted by the District and inspection by the Board's staff indicated that the District is violating the requirements listed in "3" above.
5. Contra Costa County Sanitation District was notified by certified mail that this Board would consider issuing an Order to Cease and Desist under the provisions of Section 13301 of the California Water Code at a meeting duly held on March 26, 1970.
6. This Board, at its meeting March 26, 1970, reviewed the staff report to the Board relative to this case, considered issuing an Order to Cease and Desist, and heard all interested parties present and desiring to be heard.

REGIONAL BOARD FINDINGS

1. This Board accepts the aforementioned staff report as evidence and finds that Contra Costa County Sanitation District No. 3 is discharging wastes from its sewage treatment plant which do not comply with requirements prescribed by this Board in its Resolution No. 70-26.
2. The District is violating the following requirements:

"WASTE DISCHARGE REQUIREMENTS - RECEIVING WATERS

...

...

...

2. The discharge shall not:

- a. Unreasonably affect any of the protected beneficial water uses resulting from:

Floating, suspended, or deposited macroscopic particulate matter or foam, in waters of the State at any place;

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4. Bacterial quality of the waste at some point in the treatment process shall be within the limits prescribed in Section 7958, Title 17, California Administrative Code.

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...

...

3. New connections to this sewerage system will further unreasonably impair the water quality of San Pablo Bay.

IT IS HEREBY ORDERED BY THE REGIONAL BOARD

1. The Contra Costa County Sanitation District No. 3 is hereby ordered to cease and desist discharging waste in violation of requirements prescribed in Resolution No. 70-26 pursuant to the following time schedule:

Demonstrate compliance with disinfection requirements on or before June 1, 1970

Complete financing of needed facilities
on or before

November 15, 1970

Complete plans and specification of all
needed facilities on or before

November 15, 1970

Award contracts for all needed facilities
on or before

January 15, 1971

Begin construction of all needed
facilities on or before

March 1, 1971

Complete construction of all needed
facilities on or before

September 1, 1971

Demonstrate compliance with all
requirements on or before

November 1, 1971

2. Pursuant to Section 13301 of the California Water Code and subsequent to March 26, 1970, Contra Costa County Sanitation District No. 3 is hereby ordered to prohibit additional connections to its sewerage system; this prohibition shall not apply to facilities under construction or those for which building permits had been issued prior to said date, nor to those connections which in the opinion of the County Health Officer and the Executive Officer are necessary to eliminate health hazards from disposal of waste from septic tanks.
3. Upon failure by the Contra Costa County Sanitation District No. 3 to comply with any part of this order, this Board's Executive Officer is authorized and directed to request the Attorney General to petition the Superior Court for the proper legal relief restraining the District from continuing the discharge of wastes in violation of this order and to seek civil monetary remedies pursuant to Section 13350 California Water Code.

WILLIAM C. WEBER
Chairman

March 26, 1970

I, Fred H. Dierker, hereby certify that the foregoing is a true and correct copy of Resolution No. 70-33 adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, at its regular meeting on March 26, 1970.

FRED H. DIERKER
Executive Officer
CALIFORNIA REGIONAL WATER QUALITY CONTROL
BOARD - SAN FRANCISCO BAY REGION